

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
HOMEWARD RESIDENTIAL, INC., *solely in its* :
capacity as Master Servicer for the Option One Mortgage :
Loan Trust 2006-2, for the benefit of the Trustee and the :
holders of Option One Mortgage Loan Trust 2006-2 :
Certificates, :

12-CV-5067 (JMF)
12-CV-7319 (JMF)

Plaintiff,

ORDER

-v-

SAND CANYON CORPORATION f/k/a OPTION ONE :
MORTGAGE CORPORATION, :

Defendant.

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JESSE M. FURMAN, United States District Judge:

On November 9, 2020, the Court entered summary judgment for Defendant and ordered the parties to show cause why various filings in connection with their cross-motions for summary judgment and *Daubert* motions should remain sealed or redacted. *See Homeward Residential, Inc. v. Sand Canyon Corp.*, No. 12-CV-5067 (JMF), 2020 WL 6562351, at *8 (S.D.N.Y. Nov. 9, 2020) (ECF No. 391).¹ The parties responded in letters dated November 30, 2020. *See* ECF Nos. 393 (“Pl.’s Ltr.”), 395 (“Def.’s Ltr.”).

The Court agrees with the parties’ proposed sealing and redaction requests for substantially the reasons articulated in their respective letters. Accordingly, **no later than January 14, 2021**:

- Plaintiff shall file the forty “Category 1” documents it identifies without any redactions (and may convert Excel documents to PDF format as appropriate), Pl.’s Ltr. 2;
- Plaintiff shall file the two hundred ninety-seven “Category 2” documents (excluding those that are also “Category 6” documents) with the limited redactions described (and may convert Excel documents to PDF format as appropriate), *id.* at 2-3;
- Plaintiff shall file the six “Category 3” documents with the redactions described, *id.* at 3;
- Defendant shall file the one hundred thirty-two documents it identifies in Table 4 without any redactions, Def.’s Ltr. 6;

¹ Unless otherwise noted, all docket references are to 12-CV-5067 (JMF).

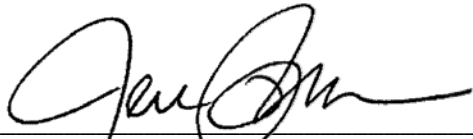
- Defendant shall file the one hundred one documents it identifies in Table 3 with the minimal redactions described, *id.* at 5-6.

Thus, the Court agrees that the two “Category 4” documents and five hundred ten “Category 5” documents identified by Plaintiff, Pl.’s Ltr. 4-11, and the seven hundred seventy-eight documents identified by Defendant in Table 1 and forty documents identified in Table 2, Def.’s Ltr. 3-5, should remain sealed in their entirety.

In addition, both parties identify documents that were filed under seal or in redacted form at the request of the opposing party, as to which the filing party does not take a position concerning confidentiality. *See* Pl.’s Ltr. 11-12 (identifying one hundred “Category 6” documents); Def.’s Ltr. 6 (identifying fifty-three documents in Table 5). The parties are ORDERED to confer regarding the disposition of these remaining documents. In its submissions **on January 14, 2021**, the filing party shall include any documents for which the party that initially designated the document confidential no longer believes sealing or redactions are required (except to the extent that such document should be sealed or redacted for other reasons articulated by the filing party). That is, Plaintiff shall file any Category 6 documents in their entirety that Defendant no longer believes should be confidential (except for those Category 6 documents that are also Category 2 documents — which should be filed with the limited redactions described in Plaintiff’s letter — and those Category 6 documents that are also Category 5 documents, which should remain under seal), and Defendant shall file any Table 5 documents that Plaintiff no longer believes should be confidential. If either party believes that the documents described in this paragraph should remain under seal in whole or in part — that is, if Plaintiff believes that any “Table 5” documents should remain under seal or if Defendant believes that any “Category 6” documents should remain under seal — they shall file a letter no later than **January 4, 2021**, identifying any such documents and articulating the basis upon which they should remain sealed.

SO ORDERED.

Dated: December 14, 2020
New York, New York



JESSE M. FURMAN
United States District Judge